

PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b) Docket Number (Optional)
15280-271100US

First named inventor: Frank J. Gonzalez

Application No.: PCT/US97/04269

Group Art Unit:

Filed: March 19, 1997

Examiner:

Title: METHODS AND COMPOSITIONS FOR DETECTING DIHYDROPYRIMIDINE
DEHYDROGENASE SPLICING MUTATIONS

Attention: International Division, Legal Staff
Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED

11 JUN 1999

Legal Staff
International Division

The above-identified application became abandoned as to the United States because the elements noted at 35 U.S.C. 371(c) were not filed prior to the expiration of the applicable time limit noted at 37 CFR 1.494(b) or (c) or 37 CFR 1.495(b) or (c). The date of abandonment is 9/20/98 (i.e., the day after the date on which the 35 U.S.C. 371(c) requirements were due; see 37 CFR 1.494(h) or 1.495(i)).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper response
- (3) Terminal disclaimer with disclaimer fee — required for all applications filed before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity - fee \$ _____ (37 CFR 1.17(m))
☐ Small entity statement enclosed herewith.
☐ Small entity statement previously filed.
☒ Other than small entity - fee \$ 1,210 (37 CFR 1.17(m))

2. Proper response

A. The proper response (the missing 35 U.S.C. 371(c) requirements) in the form of
U.S. National Phase filing (identify type of response):

- ☐ has been filed previously on _____
☒ is enclosed herewith.

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Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

3. Terminal disclaimer with disclaimer fee

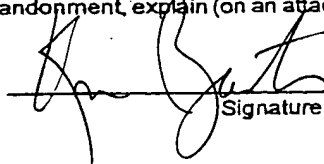
- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) equivalent to the number of months from abandonment to the filing of this petition is enclosed herewith.

4. Statement. The entire delay in filing the 35 U.S.C. 371(c) requirements from their due date until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Where a petition under 37 CFR 1.137(b) is not filed within three months from the mail date of any notice of abandonment or one year from the date of abandonment, explain (on an attached sheet) in detail the cause of the delay in filing this petition.

May 12, 1999

Date



Signature

Telephone Number: (415) 576-0200

Kevin L. Bastian

Typed or printed name

Townsend and Townsend and Crew LLP
Address

Two Embarcadero Center, 8th Fl.

San Francisco, CA 94111

Enclosures: ☒ Response

☒ Fee Payment (see attached sheet)

☐ Terminal Disclaimer Form

☐ Small Entity Status Form

☐ _____

FEE PAYMENT:

Please charge the Deposit Account No. 20-1430 in the amount of \$1,210.00 to cover the above petition fee. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-1430. This Petition is submitted in triplicate.